



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,453	08/30/2001	Thomas Jessop	G08.057	7938
28062	7590	09/15/2008		
BUCKLEY, MASCHOFF & TALWALKAR LLC			EXAMINER	
50 LOCUST AVENUE			LIVERSEDGE, JENNIFER L	
NEW CANAAN, CT 06840				
			ART UNIT	PAPER NUMBER
			3692	
			MAIL DATE	DELIVERY MODE
			09/15/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/942,453

Applicant(s)

JESSOP ET AL.

Examiner

JENNIFER LIVERSEGE

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-19, 23, 34 and 45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-19, 23, 34 and 45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-884)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for continued examination of application 09/942,453 filed on June 25, 2008.

The amendment contains original claims: 2-4, 6-12, 15-19.

The amendment contains previously presented claims: 5, 13, 23, 34 and 45.

The amendment contains amended claim: 1.

Claims 14, 20-22, 24-33, 35-44 and 46 have been canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 25, 2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-13, 15-19, 23, 34 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,721,713 B1 to Guheen et al. (further referred to as Guheen), in view of US Pub No. 2002/0158918 A1 to Feibush et al. (further referred to as Feibush), and further in view of US Patent 5,132,899 to Fox (further referred to as Fox).

Regarding claim 1, Guheen discloses a method comprising:

Selecting a first corporate entity information type that defines a first corporate entity (Figures 1, 10, 11, 18, 27A-F, 29A; columns 1-2, 7-14);

Selecting a second corporate entity information type that defines a second corporate entity (Figures 1, 10, 11, 18, 27A-F, 31A; columns 1-2, 7-14);

Selecting a corporate entity relationship information type that defines a relationship between said first and second corporate entity information types (Figures 1, 10, 11, 18; 27A-F; columns 1-2, 7-14);

Displaying said corporate entity identity and said corporate entity relationship information types in a graphical user interface view with predetermined indicia, the indicia graphically providing an indication of a connection between said first and second corporate entity information types (Figures 1, 8, 10, 11, 16, 18, 23B, 27A-F; columns 1-2, 7-14); and

Providing an alternation mechanism to dynamically change an information type, chosen from the group comprising corporate entity, corporate entity relationship, selection, grouping, arrangement and view type to be displayed in said graphical user interface view (Figure 21C, 27A-F, 87; columns 1-2, 7-14, 29).

Guheen does not disclose indicia graphically providing an indication of a strength of the relationship though Guheen does disclose comparing of the strengths and weaknesses of each individual entity (column 11). However, Feibush discloses indicia graphically providing an indication of a strength of the relationship (Figures 5-7; pages 1-4). It would be obvious to one of ordinary skill in the art to adapt the use of relationship strength as disclosed by Feibush to the method of pictorially displaying alliances among entities as disclosed by Guheen. The motivation would be to relate the entities' strengths and

Art Unit: 3692

weaknesses as they contribute to an alliance, and how those strengths and weaknesses build-up or hinder the alliance.

Further, Guheen does not disclose displaying, simultaneously, a newly chosen information type associated with a first and second information type, each in separate panels in the graphical user interface to facilitate a comparison regarding first corporate entity and second corporate entity information types and determining at least one pattern between first and second corporate entity information types based on the comparison. However, Feibush discloses displaying, simultaneously, a newly chosen information type associated with a first and second information type, each in separate panels in the graphical user interface to facilitate a comparison of information types and determining at least one pattern between information types based on the comparison (page 3, paragraphs 30-31). It would be obvious to one of ordinary skill in the art at the time of the invention to adapt the use of comparison displays based on running scenarios for analysis, comparison and patterns regarding relationships between entities as disclosed by Feibush with the method of pictorially displaying alliances among entities as disclosed by Guheen. The motivation would be to use commonly known techniques in the field of computer technology to provide multiple views within one screen to provide a means of making side-by-side visual comparisons.

Neither Guheen nor Feibush disclose creating a financial product based on the selected and displayed information and said determined at least one pattern. However, Fox discloses creating a financial product based on the relationship between displayed information types and patterns (column 1, lines 25-33; column 4, lines 10-15 and lines 56-60; column 5, lines 18-29; column 6, line 65 – column 7, line 26). Given the combination of Guheen and Feibush, where Guheen discloses comparing and graphically depicting the strengths and weaknesses of individual entities as well as which services and products each provide, and Feibush discloses indicia graphically providing an indication of a strength of the relationship and patterns therein, it would be obvious to one of ordinary skill in the art to combine the use of creating a financial product based on the relationship between factors related to the relationship between investment managers, the investment managers' government reports, and industry designation for the stocks in the investment managers' portfolios in the selecting of a financial product as disclosed by

Art Unit: 3692

Fox with the selecting of products and services based on entity relational alliances data and the strengths therein as disclosed by Guheen and Feibush. The motivation would be that the alliances as disclosed by Guheen indicate which entities are strong individually as well as in an alliance with other entities; and Feibush provides a measure of strength between the entities; combining Guheen and Feibush with the selection method provided by Fox would result in the constructing of products based on known relationally strong entities which provides an indicator as to the potential success with the constructed financial product.

Regarding claims 2-13, Guheen discloses predetermined corporate entity information chosen from the group comprising corporate entities and corporate information; the group comprising buyer-seller relationships, customer-supplier relationships, company-client relationships, parent company-subsidary relationships, ownership relationships, resource sharing relationships, joint ventures, political/business relationships, competitor relationships, value chain relationships, horizontal and vertical relationships; selection and grouping information chosen from the group comprising stocks, bonds, financial instruments, sectors, industry segments, SIC codes, and product lines; arrangement information chosen from the group comprising column, row, grid, map, free-form, and structured; view type information chosen from the group comprising fundamental information, market risk information and performance information (Figures 1, 8, 10, 11, 14, 16, 17, 18, 21C-F, 23B-F, 27A-F columns 1-2, 7-14).

Regarding claims 15-19, Guheen discloses where corporate entity and corporate relationship indicia are chosen from the group comprising graphic, audio, video; graphic and corporate entity relationship indicia chosen from the group comprising color, pattern and shape (Figure 1, 11, 16, 22, 27A-F, 94; columns 1-2, 7-14).

Regarding claim 23, Guheen discloses where said alteration mechanism is chosen from the group comprising pointing device input, keyboard input and voice input (column 23).

Art Unit: 3692

Regarding claim 34, neither Guheen nor Feibush disclose creating a financial product based on the relationship between said displayed information types wherein the financial product is chosen from the group comprising market baskets of financial instrument, structured products, financial indices and mutual funds. However, Fox discloses creating a financial product based on the relationship between said displayed information types wherein the financial product is chosen from the group comprising market baskets of financial instrument, structured products, financial indices and mutual funds (column 1, lines 25-33). It would be obvious to one of ordinary skill in the art to adapt the use of creating a financial product based on relationships between investment managers, their government reports, and the industries from which their holding are represented as disclosed by Fox with the selecting of products and services based on entity relational alliances data and the strengths therein as disclosed by Guheen and Feibush. The motivation would be that the alliances as disclosed by Guheen indicate which entities are strong individually as well as in an alliance with other entities, and which services and products each provide, and by selecting a product or service based on the relationships provides an indicator as to potential success with the product.

Regarding claim 45, Guheen discloses providing another information type chosen from the group of government entities, government information, financial entities, financial information, industry information, industry segment information, sector information, index information, personal entities and personal information, that may be displayed in said graphical user interface view, selected by said alteration mechanism and related to the other information types by said indicia (Figures 1, 8, 10, 11, 14, 16, 17, 18, 21C-F, 23B-F, 27A-F columns 1-2, 7-14, 23).

Response to Arguments

Applicant argues that the combinations as presented in the Office Action fail to address several newly introduced limitations.

First, it is argued that Feibush fails to disclose the simultaneous display of information in different panels. However, examiner points to disputed paragraphs 30-31 of Feibush where Feibush specifically

Art Unit: 3692

discloses "various clusters can be connected or compared in the result space for further scrutiny". From this reading, it is clear to the examiner that a result space is presented with multiple and various clusters (relationship correlation graphed results) such that the user can view the result space and make comparisons of the results contained therein. While Feibush does not use the language "displaying information types, each in separate GUI panels", it is clear by the examiner's reading of Feibush that Feibush is providing separate space within the results space screen for comparing graphed results and thus Feibush provides "separate panels" for review and comparison.

Secondly, applicant has argued that Feibush fails to disclose at least one pattern based on the information. However, Feibush specifically discloses, in the same section (paragraphs 30-31) that users can review the correlation graphs to compare the results and examine the overlap of events, the emergence of new correlations, etc. as the results are reviewed over a period of time taking into account changes amongst the input relationship data over time. Therefore, Feibush provides for the evaluation of patterns of the data such as changes in the correlations, the overlap of events, etc. along a time continuum.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 7,027,051 B2 to Alford, Jr. et al. discloses the use of GUI panels to disclose various pieces of information and to track their change where multiple views are provided on a single screen in different panels and wherein patterns can be detected based on the change over time of the information.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

Art Unit: 3692

shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer Liversedge/
Examiner, Art Unit 3692

/Kambiz Abdi/
Supervisory Patent Examiner, Art Unit 3692